

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA	*	CRIMINAL NO.: 09-055
v.	*	SECTION: "C"
DANYALE BARNETT	*	

* * *

FACTUAL BASIS

Should this matter have gone to trial, the Government would have proved, through the introduction of competent testimony and admissible tangible exhibits, the following facts, beyond a reasonable doubt, to support the allegations in the Indictment now pending against the defendant, DANYALE BARNETT. The defendant has agreed to plead guilty to Count I of the Indictment charging her with Conspiracy to Commit Bank Fraud in violation of Title 18, United States Code, Section 371.

In or around September 2007, DANYALE BARNETT was approached by Eddie Matthews ("Matthews") in New Orleans, Louisiana and was asked whether she was interested in making money by cashing altered checks. Matthews drove BARNETT to various banks to cash checks Matthews had altered by "washing" the checks with a paint thinner like substance which was purchased at a Walmart retail outlet. These checks were stolen from residential mail boxes by

Matthews and/or by persons known to Matthews. Matthews altered the stolen checks by making the checks payable to BARNETT. Matthews also altered the stolen checks so as to increase the amount of the check and Matthews forged the account holder's signature. In the memo section of the altered checks Matthews wrote "care staff", "mother's care staff" or "home health care".

On or about September 20, 2007 and during the course of and in furtherance of the conspiracy, BARNETT fraudulently presented and cashed an altered check in the amount of \$988.00 at Capital One Bank in New Orleans, Louisiana, a bank whose deposits were insured by the Federal Deposit Insurance Corporation. BARNETT knew the check to have been fraudulently and falsely altered by Matthews. BARNETT presented a Louisiana Identification Card No. 009531641 to the Capital One Bank teller when she presented the altered check. U.S. Postal Inspectors confirmed the Louisiana Identification Card No. 009531641 was issued to DANYALE BARNETT.

On or about September 26, 2007, and during the course of and in furtherance of the conspiracy, BARNETT fraudulently presented and cashed an altered check in the amount of \$986.00, at Fifth District Savings Bank, Marrero, Louisiana, a bank whose deposits were insured by the Federal Deposit Insurance Corporation. BARNETT knew the check was fraudulently and falsely altered by Matthews. BARNETT presented a Louisiana Identification Card No. 009531641 to the Fifth District Savings Bank teller when she presented the altered check. U.S. Postal Inspectors confirmed Louisiana Identification Card No. 009531641 was issued to DANYALE BARNETT.

On or about September 28, 2007, and during the course of and in furtherance of the conspiracy, BARNETT fraudulently presented and cashed an altered check in the amount of \$853.50, at Capital One Bank (previously Hibernia National Bank) in New Orleans, Louisiana, a bank whose deposits were insured by the Federal Deposit Insurance Corporation. BARNETT knew

the check was fraudulently and falsely altered by Matthews. DANYALE BARNETT presented Louisiana Identification Card No. 009531641 to the Capital One Bank teller when she presented the altered check. U.S. Postal Inspectors confirmed Louisiana Identification Card No. 009531641 was issued to DANYALE BARNETT. A video recording showing BARNETT cashing the altered check at Capital One Bank would be offered as evidence at trial.

On or about October 1, 2007 and during the course of and in furtherance of the conspiracy, DANYALE BARNETT fraudulently presented and cashed an altered check in the amount of \$856.67 at Capital One Bank (previously Hibernia National Bank) in Chalmette, Louisiana, a bank whose deposits were insured by the Federal Deposit Insurance Corporation. BARNETT knew the check was fraudulently and falsely altered by Matthews. DANYALE BARNETT presented Louisiana Identification Card No. 009531641 to the Capital One Bank teller when she presented the altered check. U.S. Postal Inspectors confirmed Louisiana Identification Card No. 009531641 was issued to DANYALE BARNETT. A video recording showing BARNETT cashing the altered check at Capital One Bank would be offered as evidence at trial.

On or about October 1, 2007, and during the course of and in furtherance of the conspiracy, BARNETT fraudulently presented and cashed an altered check in the amount of \$987.00, at Fifth District Savings Bank in New Orleans, Louisiana, a bank whose deposits were insured by the Federal Deposit Insurance Corporation. BARNETT knew that the check was fraudulently and falsely altered by Matthews. DANYALE BARNETT presented Louisiana Identification Card No. 009531641 to the Fifth District Savings Bank teller when she presented the altered check. U.S. Postal Inspectors confirmed Louisiana Identification Card No. 009531641 was issued to DANYALE BARNETT.

On or about October 9, 2007 and during the course of and in furtherance of the conspiracy, BARNETT fraudulently presented and cashed an altered check in the amount of \$1,221.57 at Whitney National Bank in Slidell, Louisiana, a bank whose deposits were insured by the Federal Deposit Insurance Corporation. BARNETT knew the check to have been fraudulently and falsely altered by Matthews. DANYALE BARNETT presented Louisiana Identification Card No. 009531641 to the Whitney National Bank teller when she presented the altered check. U.S. Postal Inspectors confirmed Louisiana Identification Card No. 009531641 was issued to DANYALE BARNETT.

On or about October 9, 2007 and during the course of and in furtherance of the conspiracy, BARNETT fraudulently presented and cashed an altered check in the amount of \$939.00 at Capital One Bank in Slidell, Louisiana, a bank whose deposits were insured by the Federal Deposit Insurance Corporation. BARNETT knew the check to have been fraudulently and falsely altered by Matthews. BARNETT presented a Louisiana Identification Card No. 009531641 to the Capital One Bank teller when she presented the altered check. U.S. Postal Inspectors confirmed the Louisiana Identification Card No. 009531641 was issued to DANYALE BARNETT.

On or about October 9, 2007 and during the course of and in furtherance of the conspiracy, BARNETT fraudulently presented and cashed an altered check in the amount of \$1,200.00 at Regions Bank in Slidell, Louisiana, a bank whose deposits were insured by the Federal Deposit Insurance Corporation. BARNETT knew the check to have been fraudulently and falsely altered by Matthews. BARNETT presented a Louisiana Identification Card No. 009531641 to the Regions Bank teller when she presented the altered check. U.S. Postal Inspectors confirmed the Louisiana Identification Card No. 009531641 was issued to DANYALE BARNETT.

On or about February 13, 2008 and during the course of and in furtherance of the conspiracy, DANYALE BARNETT, a/k/a ROCKELL GREGORY, fraudulently presented and cashed an altered check in the amount of \$959.40 at Capital One Bank in Harahan, Louisiana, a bank whose deposits were insured by the Federal Deposit Insurance Corporation. BARNETT knew the check to have been fraudulently and falsely altered by Matthews. BARNETT presented a Louisiana Identification Card No. 008564760 to the Capital One Bank teller when she presented the altered check. U.S. Postal Inspectors confirmed the Louisiana Identification Card No. 008564760 was issued to ROCKELL GREGORY. A video recording showing BARNETT cashing the altered check at Capital One Bank would be offered as evidence at trial.

Both the Government and the defendant, DANYALE BARNETT, do hereby stipulate and agree the above facts set forth a sufficient factual basis for the crime to which the defendant is pleading guilty and that the government would have proven these facts beyond a reasonable doubt at trial.

JULIA K. EVANS (D.C. BAR # 435461) (DATE)
ASSISTANT UNITED STATES ATTORNEY

DEFENDANT DANYALE BARNETT (DATE)

JOSEPH P. RASPANTI, ESQUIRE (DATE)
COUNSEL FOR DANYALE BARNETT
LA. BAR ROLL NO. _____